1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7 MARTIN LEWIS, AARON COOPER, and CASE NO. 08-cv-2670 CW 8 ANISSA SCHILLING, on behalf of themselves and a class of those similarly 9 situated. STIPULATION AND [PROPOSED] ORDER Plaintiffs, 10 TO SHORTEN TIME FOR CONSIDERATION AND RULING ON v. 11 SETTLEMENT ADMINISTRATOR'S 12 UNOPPOSED MOTION FOR ORDER DIRECTING NOTICE TO OVERPAID OPT-WELLS FARGO & CO., 13 **INS** Defendant. 14 15 16 WHEREAS, the Settlement Administrator is concurrently filing an Unopposed Motion for 17 Order Directing Overpaid Opt-Ins to Return Overpayment to the Settlement Fund ("Unopposed 18 Motion for Order") which seeks an Order directing notice be sent to Opt-Ins who were overpaid 19 due to the Settlement Administrator's error in misinterpreting of one of the multipliers set forth in 20 the Settlement Agreement to be used to calculate Opt-In awards, and requesting the overpaid Opt-21 Ins return their overpayment to the Qualified Settlement Fund; 22 WHEREAS, Counsel for Defendant and Plaintiffs' Counsel do not oppose the relief 23 sought in the Unopposed Motion for Order; 24 WHEREAS, should the Court hold a hearing on regular notice, the next available hearing 25 date is October 20, 2011; 26 WHEREAS, the parties agree that it would further the proper and efficient administration 27 of justice in this case for an Order on the Settlement Administrator's Unopposed Motion for 28 Order to be entered as soon as is practicable; STIPULATION AND [PROPOSED] ORDER TO SHORTEN TIME FOR REVIEW AND DECISION CASE NO. 08-CV-2670 CW

Case4:08-cv-02670-CW Document328 Filed09/16/11 Page2 of 3

1	WHEREAS, the parties further agree that, subject to the Court's approval, the Unopposed
2	Motion for Order may be decided on the papers without hearing;
3	WHEREAS, payment to the underpaid Opt-Ins will be made after the hearing on this
4	motion, if the time for hearing on the motion is shortened, and/or the Court rules without hearing,
5	the underpaid Opt-Ins will receive the additional monies to which they are entitled earlier than if
6	the matter is heard on regular notice;
7	NOW THEREFORE, IT IS HEREBY STIPULTED by the undersigned counsel on behalf
8	of the parties identified below, and subject to the Court's approval, that they agree that the
9	Unopposed Motion for Order may be decided on the papers without hearing.
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11	Dated: September 15, 2011 By: /s/ Jennifer Rappoport Jennifer Rappoport
12	WINSTON & ŜTRAWN LLP Counsel for Defendant Wells Fargo
13	By: /s/ Jahan Sagafi
14	Jahan Sagafi LIEFF, CABRASER, HEIMANN &
15	BERNSTEIN, LLP Counsel for Plaintiffs
16	By: /s/ Thomas A. Warren
17	Thomas A. Warren SETTLEMENT SERVICES, INC.
18	Settlement Administrator
19	
20	I, Jennifer Rappoport, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.
21	/s/ Jennifer Rappoport
22	Jennifer Rappoport
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Case4:08-cv-02670-CW Document328 Filed09/16/11 Page3 of 3

The Settlement Administrator's Unopposed Motion for Order shall be decided on the papers without a hearing. IT IS SO ORDERED. September 16, 2011 Dated: September 16, 2011 United States District Judge Northern District of California September 16, 2011 September 16, 2011 11		
TI IS SO ORDERED. Dated: September 16, 2011 Dated: Dated	1	The Settlement Administrator's Unopposed Motion for Order shall be decided on the
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